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10/10/01  
1059 U.S. PAT. & TM. OFF. 10/10/01

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\*LIMITED TO MATTERS  
AND PROCEEDINGS BEFORE  
FEDERAL COURTS & AGENCIES  
\*\*REGISTERED PATENT AGENT  
\*\*\*SENIOR COUNSEL

October 10, 2001

WRITER'S DIRECT NUMBER:  
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Commissioner for Patents  
Washington, D.C. 20231

Box Patent Application

Re: U.S. Continuation Application  
Appl. No. To be assigned; Filed: Herewith  
(Continuation of U.S. Appl. No. 09/049,022, filed: March 27, 1998)  
For: **Cardiac and Pancreatic Protein and Gene**  
Inventors: SOPPET *et al.*  
Our Ref: 1488.0620002/EKS/GLL

jc857 U.S. PTO  
09/972912  
10/10/01

Sir:

The following documents are forwarded herewith for appropriate action by the U.S.  
Patent and Trademark Office:

1. PTO Fee Transmittal (Form PTO/SB/17) (*in duplicate*);
2. PTO Utility Patent Application Transmittal (Form PTO/SB/05);
3. U.S. Utility Patent Application entitled:

**Cardiac and Pancreatic Protein and Gene**

and naming as inventors:

Daniel R. SOPPET  
Steven M. RUBEN

Commissioner for Patents  
October 10, 2001  
Page 2

the application consisting of:

1. A specification containing 97 total pages:
  - i. 92 pages of description prior to the claims, including a sequence listing on pages 66 to 92;
  - ii. 4 pages of claims (15 claims);
  - iii. a one (1) page abstract;
2. 7 sheets of drawings: (Figures 1A, 1B, 1C, 2, 3, 4, and 5);
3. 27 pages of a paper copy of the sequence listing;
4. A copy of the executed Declaration, as filed in U.S. Appl. No. 09/049,022;
4. Authorization to Treat a Reply As Incorporating An Extension of Time Under 37 C.F.R. § 1.136(a)(3) (*in duplicate*);
5. Preliminary Amendment;
6. Request to Open New Disk File;
7. Application Data Sheet;
8. Our check No. 32814 for \$992.00 to cover:  
\$740.00 filing fee for patent application;  
\$252.00 fee for excess claims; and
9. Two (2) return postcards.

It is respectfully requested that, of the two attached postcards, one be stamped with the filing date of these documents and returned to our courier, and the other, prepaid postcard, be stamped with the filing date and unofficial application number and returned as soon as possible.

Commissioner for Patents  
October 10, 2001  
Page 3

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036. A duplicate copy of this letter is enclosed.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Gaby L. Longsworth  
Agent for Applicants  
Registration No. 47,756

EKS/GLL/eak  
Enclosures

P:\USERS\GLongs\1488\0620002\cvltr.10-10-01  
SKGF ver.6/20/00 mac

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**UTILITY  
PATENT APPLICATION  
TRANSMITTAL**

(Only for new nonprovisional applications under 37 CFR § 1.53(b))

Attorney Docket No.	1488.0620002/EKS/GLL
First Inventor	SOPPET et al.
Title	Cardiac and Pancreatic Protein and Gene
Express Mail Label No.	

**APPLICATION ELEMENTS**

See MPEP chapter 600 concerning utility patent application contents.

**ADDRESS TO:**Assistant Commissioner for Patents  
Box Patent Application  
Washington, DC 20231

- 1.
- ☒
- Fee Transmittal Form (e.g., PTO/SB/17)
- 
- (Submit an original, and a duplicate for fee processing)

- 2.
- ☐
- Applicant claims small entity status.
- 
- See 37 CFR 1.27.

- 3.
- ☒
- Specification [Total Pages 97]
- 
- (preferred arrangement set forth below)
- Descriptive title of the Invention
  - Cross Reference to Related Applications
  - Statement Regarding Fed sponsored R & D
  - Reference to sequence listing, a table, or a computer program listing appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings (if filed)
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure

- 4.
- ☒
- Drawing(s) (35 U.S.C. 113) [Total Sheets 7]

- 5.
- ☒
- Oath or Declaration [Total Pages 2]

- a.
- ☐
- Newly executed (original or copy)

- b.
- ☒
- Copy from a prior application (37 CFR 1.63(d))
- 
- (for continuation/divisional with Box 18 completed)

- i.
- ☐
- DELETION OF INVENTOR(S)**
- 
- Signed statement attached deleting inventor(s)
- 
- named in the prior application, see 37 CFR §§
- 
- 1.63(d)(2) and 1.33(b).

- 6.
- ☒
- Application Data Sheet. See 37 CFR 1.76.

- 7.
- ☐
- CD-ROM or CD-R in duplicate, large table or Computer Program
- 
- (Appendix)

8. Nucleotide and/or Amino Acid Sequence Submission
- 
- (if applicable, all necessary)

- a.
- ☒
- Computer Readable Form (CRF) [Request to Open New Disk File]

- b. Specification Sequence Listing on:

- i.
- ☐
- CD-ROM or CD-R (2 copies); or

- ii.
- ☒
- paper

- c.
- ☒
- Statements verifying identity of above copies

**ACCOMPANYING APPLICATION PARTS**

- 9.
- ☐
- Assignment Papers (cover sheet & document(s))

- 10.
- ☐
- 37 CFR 3.73(b) Statement
- ☐
- Power of Attorney
- 
- (when there is an assignee)

- 11.
- ☐
- English Translation Document (if applicable)

- 12.
- ☐
- Information Disclosure Statement (IDS)/PTO-1449
- ☐
- Copies of IDS
- 
- Citations

- 13.
- ☒
- Preliminary Amendment

- 14.
- ☒
- Return Receipt Postcard (MPEP 503)
- 
- (Should be specifically itemized)

- 15.
- ☐
- Certified Copy of Priority Document(s)
- 
- (if foreign priority is claimed)

- 16.
- ☐
- Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i) Applicant must attach
- 
- form PTO/SB/35 or its equivalent

- 17.
- ☒
- Other:
- Authorization under 37 C.F.R. § 1.136(a)(3)

- ☒
- Other:
- The name of the assignee is: Human Genome Sciences

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment,  
or in an Application Data Sheet under 37 CFR 1.76:☒ Continuation ☐ Divisional ☐ Continuation-in-Part (CIP) of prior application No: 09/049,022  
Prior application information: Examiner: Romeo, D. Group/Art Unit: 1647For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is  
considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be  
relied upon when a portion has been inadvertently omitted from the submitted application parts.**19. CORRESPONDENCE ADDRESS**

- ☒
- Customer Number or Bar Code Label

Customer No. 28730



28730

(Insert Customer No. or Attach bar code label here)

or ☐ Correspondence address below

NAME	STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.				
	Attorneys at Law				
ADDRESS					
CITY		STATE		ZIP CODE	
COUNTRY		TELEPHONE		FAX	

NAME (Print/Type)	Gaby L. Longworth	Registration No. (Attorney/Agent)	47,756
SIGNATURE		Date	October 10, 2001

Burden Hour Statement: this form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount  
of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND  
FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.  
SKGF Rev 3/29/01 mac transm.10-10-01

# FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision

## Complete if Known

Application Number	To be assigned
Filing Date	Herewith
First Named Inventor	SOPPET et al.
Examiner Name	To be assigned
Group Art Unit	To be assigned
Attorney Docket No.	1488.0620002/EKS/GLL

TOTAL AMOUNT OF PAYMENT (\$992.00)

## METHOD OF PAYMENT (check one)

1. ☐ The Commissioner is hereby authorized to charge indicated fees and credit any overpayment to:

Deposit Account Number 19-0036  
Deposit Account Name Sterne, Kessler, Goldstein & Fox P.L.L.C.

- ☐ Charge Any Additional Fee Required Under 37 CFR §§ 1.16 and 1.17

- ☐ Applicant claims small entity status See 37 CFR 1.27

2. ☒ Payment Enclosed:

- ☒ Check ☐ Credit card ☐ Money Order ☒ Other\*  
\*Charge any deficiencies or credit any overpayments in the fees or fee calculations of Parts 1, 2 and 3 below to Deposit Account No. 19-0036

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
101	740	201	370	Utility filing fee	\$740.00
106	330	206	165	Design filing fee	
107	510	207	255	Plant filing fee	
108	740	208	370	Reissue filing fee	
114	160	214	80	Provisional filing fee	
SUBTOTAL (1) (\$)					740.00

### 2. EXTRA CLAIM FEES

Extra	Fee from below	Fee Paid
Total Claims 15 - 20** = 0	X 18	= 0
Indep. Claims 6 - 3** = 3	X 84	= 252.00
Multiple Dependent	0	= 0

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	84	202	42	Independent claims in excess of 3
104	280	204	140	Multiple dependent claim
108	84	209	42	**Reissue independent claims over original patent
110	18	210	9	**Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$) 252.00

\*\* or number previously paid, if greater, For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee paid
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for <i>ex parte</i> reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	
117	920	217	460	Extension for reply within third month	
118	1,440	218	720	Extension for reply within fourth month	
128	1,960	228	980	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,280	241	640	Petition to revive - unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	130	123	130	Petitions related to provisional applications	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	481	40	Recording each patent assignment per property (times number of properties)	
146	740	246	370	Filing a submission after final rejection (37 CFR 1.129(a))	
149	740	249	370	For each additional invention to be examined (37 CFR 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify):

Other fee (specify):

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 0

## SUBMITTED BY

## Complete (if applicable)

Name (Print/Type)	Gaby L. Longworth	Registration No. (Attorney/Agent)	47,756	Telephone	202-371-2600
Signature	Gaby Longworth	Date	October 10, 2001		

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

SKGP Rev. 10/01/01 mnc

fee-10-10-01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

SOPPET *et al.*

Appl. No. To be assigned

Filed: Herewith

For: **Cardiac and Pancreatic Protein  
and Gene**

Art Unit: To be assigned

Examiner: To be assigned

Atty. Docket: 1488.0620002/EKS/GLL

**Request to Open New Disk File**

Commissioner for Patents  
Washington, D.C. 20231

Sir:

Applicants request that a new disk file be opened for the above-cited application. The Sequence Listing disk submitted on March 27, 1998 in the parent, Application No. 09/049,022, filed March 27, 1998, contains the identical sequence information as that in the present application. Applicants also submit herewith a paper copy of the sequence listing for the present application.

The paper copy of the sequence listing and the computer readable copy are the same and do not introduce new matter.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Gaby L. Longworth  
Agent for Applicants  
Registration No. 47,756

Date: October 10, 2001  
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